

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** : Chapter 13  
**Middleton, Yvonne K.**  
**Debtor** : **18-12178**

**OBJECTION TO  
CERTIFICATION OF DEFAULT**

Debtor through her counsel, Mitchell J. Prince, Esquire of John L. McClain & Associates hereby objects to PHH Mortgage Corporation's (hereinafter "Mortgage Company" and/or "Movant") "Certificate of Default" with a proposed attached "Order Modifying Section 362 Automatic Stay" that seeks the inapplicability of Federal Bankruptcy Rules. Debtor by and through their counsel in support thereof avers as follows:

1. On February 15, 2022, the Bankruptcy Court's ECF docket report showed that Movant's counsel filed a "Certification of Default" that certified that Debtor "failed to comply with the terms of the Stipulation".
2. Debtor contacted counsel on February 21, 2022 and asserted that as of the date of this Objection, the debtor remedied and/or is prepared to remedy whatever problem served as grounds for relief in respect to the Stipulation, if any ever existed.
3. To the extent that Mortgage Company has an interest in the debtor's estate, such interest is adequately protected pursuant to the Bankruptcy Code.
4. The Debtor has substantial equity in her property and movant has been afforded adequate protection of its interest.
5. Even if Movant is entitled to relief from the stay, the stay should not be terminated. The Court should grant less drastic relief by conditioning or modifying the stay.
6. Movant has not shown the irreparable harm necessary to justify lifting the stay with respect to its foreclosure.

For the reasons set forth above, among others, and based on this Court's authority under the Bankruptcy Code, the Debtor prays denial consideration or the entry of the Mortgage Company's "Order Modifying Section 362 Automatic Stay" and such other relief as is just and proper. The Debtor specifically reserves the right to supplement the answer at or prior to the hearing thereon.

Dated: February 21, 2022  
/s"/Mitchell J. Prince, Esquire  
John L. Mc Clain, Esquire  
Mitchell J. Prince, Esquire

Attorneys for Debtor  
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[HTTP://ATTORNEYMCCCLAIN.COM](http://ATTORNEYMCCCLAIN.COM)

February 21, 2022

Kenneth E. West, Trustee  
P.O. Box 40119  
Philadelphia, PA 19106

Re: Yvonne K. Middleton,  
Bankruptcy number 18-12178  
Date of filing 3/31/2018

Dear Sir or Madam:

Enclosed is a copy of **OBJECTION TO CERTIFICATION OF DEFAULT** which has been served.

Thank you for your assistance in this matter.

Very truly yours,

John L. Mc Clain, Esquire

w/ attachments  
Objection

**John L. Mc Clain and Associates  
Attorneys at Law**

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February 21, 2022

Account number: 6515937955PA00020

Re: Yvonne K. Middleton,  
Bankruptcy number 18-12178  
Date of filing 3/31/2018

Dear Sir or Madam:

Enclosed is a copy of **OBJECTION TO CERTIFICATION OF DEFAULT** which has been filed with the Court.

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Very truly yours,

John L. Mc Clain, Esquire

w/ attachments  
Objection